

SCHEDULES

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS TO CLERGY PENSIONS MEASURE 1961

- 1 The Clergy Pensions Measure 1961 shall have effect subject to the amendments specified in paragraphs 2 to 20 below.
- 2 In section 2 for the word “clerk” in each place where it occurs there shall be substituted the words “scheme member”.
- 3 In section 3—
 - (a) in subsection (1) for the word “clerk” there shall be substituted the words “scheme member” and after the word “office” there shall be inserted the words “or that, having ceased to perform pensionable service before attaining the retiring age, he has become incapable through infirmity of performing such service”;
 - (b) in subsection (2) for the word “clerk” there shall be substituted the words “scheme member”.
- 4 In section 6 for the word “clerk” in both places where it occurs there shall be substituted the words “scheme member”.
- 5 In section 10B—
 - (a) in subsection (1) after the word “widow” there shall be inserted the word “widower”;
 - (b) in subsection (2) after the word “widows” in both places where it occurs there shall be inserted the word “widowers”, after the word “widow” there shall be inserted the word “widower”, for the words “deceased clerk's” in both places where they occur there shall be substituted the words “deceased scheme member's” and for the words “his period” there shall be substituted the words “the scheme member’s period”;
 - (c) in subsection (3) after the word “widow” there shall be inserted the word “widower”.
- 6 In section 10C—
 - (a) for subsection (1) there shall be substituted the following subsection—
 - “(1) Subject to the provisions of this section, in sections 10 and 10A of this Measure the expression “deceased scheme member’s pension” means—
 - (a) if at the date of death the scheme member was in receipt of a pension under this Measure, the pension received by the scheme member;

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- (b) if at the date of death the scheme member had attained the retiring age but was not in receipt of a pension under this Measure, the pension to which the scheme member would have been entitled if he or she had retired on the date of his or her death;
 - (c) if at the date of death the scheme member was performing pensionable service but had not attained the retiring age, the pension to which the scheme member would have been entitled if on that date the scheme member had retired on the ground that he or she had become incapable through infirmity of performing the duties of his or her office;
 - (d) if at the date of death the scheme member had ceased to perform pensionable service but had not attained the retiring age and was not in receipt of a pension under this Measure, the pension to which the scheme member would have been entitled if on that date he had become incapable through infirmity of performing pensionable service.”;
 - (b) in subsection (2) for the word “clerk” in each place where it occurs there shall be substituted the words “scheme member”, after the word “widow” there shall be inserted the word “widower”, for the words “clerk’s pension” there shall be substituted the words “scheme member’s pension” and for paragraph (b) there shall be substituted the following paragraph—
 - “(b) the pension to which the scheme member would have been entitled in respect of the period of pensionable service performed by the member if the scheme member had retired at the retiring age after having performed the same period of pensionable service.”;
 - (c) in subsection (3) for the word “clerk” there shall be substituted the words “scheme member”.
- 7 In section 18—
- (a) for subsection (2) there shall be substituted the following subsection—
 - “(2) The Board shall pay out of the said Fund all payments required to be made by them in respect of contributions or other sums received by them under section 11, 13, 14 or 15 of this Measure.”;
 - (b) in subsection (3) for the words “Part II of this Measure” there shall be substituted the words “in respect of contributions or other sums received by them under section 11, 13, 14 or 15 of this Measure” and for the words from “for the reduction” to the end of the subsection there shall be substituted the words “for the increase of pensions or capital sums payable in respect of those contributions or other sums”.
- 8 In section 20—
- (a) in subsection (1) after the word “widow” there shall be inserted the word “widower” and after the word “widows” there shall be inserted the word “widowers”;
 - (b) in subsection (2) after the word “widow” there shall be inserted the word “widower”.
- 9 In section 21—
- (a) in subsection (3) for the words “not less than twenty-one or more than twenty-three” there shall be substituted the word “twenty-one” and the

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- words from “and (c) not more than” to the end of the subsection shall be omitted;
- (b) in subsection (5) for the words from “any other casual vacancy” to the end of the subsection there shall be substituted the words “any casual vacancy occurring among members elected by the General Synod shall be filled as soon as possible by the Standing Committee of the Synod by the appointment of a person ordinarily resident in the province in which the member replaced was ordinarily resident at the time of his election.”
- 10 In section 24, in paragraph (b) for the words “Part II of this Measure” there shall be substituted the words “pensions or lump sum payments in respect of deceased clerks”.
- 11 In section 28—
- (a) in paragraph (a) after the word “widow” there shall be inserted the word “widower”;
- (b) in paragraph (b) for the word “wives” there shall be substituted the word “spouses” and after the word “widows” there shall be inserted the word “widowers”.
- 12 In section 29 for the words from “the Housing Act 1957” to the end of the section there shall be substituted the words “section 1(1) of the Housing Associations Act 1985.”
- 13 In section 30—
- (a) in subsection (1) after the word “widows” there shall be inserted the word “widowers”;
- (b) in subsection (2) after the word “widows” there shall be inserted the word “widowers”.
- 14 In section 34(1) for the words “other than any fund of the Clergy Pensions Institution” there shall be substituted the words “and also the accounts of any moneys received by the Board from the Commissioners under section 17(2) of this Measure”.
- 15 In section 35—
- (a) in subsection (3) for the word “clerk” there shall be substituted the words “scheme member”;
- (b) in subsection (4) for the word “clerk” in each place where it occurs there shall be substituted the words “scheme member” and after the word “widow” in both places where it occurs there shall be inserted the word “widower”.
- 16 In section 38—
- (a) in subsection (1)(a) after the word “clerk” there shall be inserted the words “deaconess or licensed lay worker”;
- (b) for the word “clerk” in each place where it occurs except in subsection (1)(a) there shall be substituted the words “scheme member”;
- (c) after the word “widow” in subsection (1)(g) there shall be inserted the word “widower”.
- 17 In section 40—
- (a) in subsections (1), (2) and (3)(a) for the words “and dependants of deceased clerks” there shall be substituted the words “widowers and dependants of deceased clerks, deaconesses or licensed lay workers”;

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- (b) in subsection (3)(b) after the word “widows” there shall be inserted the word “widowers”.

18 In section 41—

- (a) in subsection (1) after the word “widows” there shall be inserted the word “widowers”, in paragraph (a) for the word “clerk” there shall be substituted the words “scheme member”, and in paragraph (b) after the word “clerk” there shall be inserted the words “deaconess or licensed lay worker” and after the word “widow” in both places where it occurs there shall be inserted the word “widower”;
- (b) in subsection (2) for the word “clerk” in both places where it occurs there shall be substituted the words “scheme member” and after the word “widow” there shall be inserted the word “widower”.

19 In section 42—

- (a) in subsection (1) after the word “widows” there shall be inserted the word “widowers”, for the word “clerk” in both places where it occurs there shall be substituted the words “scheme member” and in paragraph (b) after the word “widow” in both places where it occurs there shall be inserted the word “widower”;
- (b) in subsection (2) for the word “clerk” in both places where it occurs there shall be substituted the words “scheme member” and after the word “widow” there shall be inserted the word “widower”.

20 In section 46(1)—

- (a) at the end of the definition of “clerk in Holy Orders” there shall be inserted the words “and “clerk” means a clerk in Holy Orders”;
- (b) after the definition of “Episcopal Pensions Measures” there shall be inserted the following definition—

““licensed lay worker” means a person who has been admitted by a bishop as a lay worker of the Church of England and who has been authorised by a bishop by licence to serve as such a worker, and includes a person who has been so admitted and has been so authorised otherwise than by licence if on the date on which section 1 of the Church of England (Pensions) Measure 1988 comes into force he was a member of the Church Workers Pension Fund”;

- (c) after the definition of “retiring age” there shall be inserted the following definition—

““scheme member” has the meaning assigned to it by the said section one”.